



STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
OFFICE OF  
STATE PLANNING COORDINATION

March 15, 2005

Mr. Michael Riccitelli, E.I.  
Merestone Consultants, Inc.  
19633 Blue Bird Lane, Ste. 7  
Rehoboth Beach, DE 19971

RE: PLUS review – PLUS 2005-02-03; Hudson Homes

Dear Mr. Riccitelli:

Thank you for meeting with State agency planners on February 24, 2005 to discuss the proposed plans for the Hudson Homes project to be located on Route 24. According to the information received, you are seeking site plan review for 73 residential units on 6.940 acres.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. The developers will also need to comply with any Federal, State and local regulations regarding this property. We also note that as Sussex County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.

**Executive Summary**

The following section includes some site specific highlights from the agency comments found in this letter. This summary is provided for your convenience and reference. The full text of this letter represents the official state response to this project. ***Our office notes that the applicants are responsible for reading and responding to this letter and all comments contained within it in their entirety.***

### **State Strategies/Project Location**

- This proposal is located in an Investment Level 2 area according to the Strategies for State Policies and Spending. State policies support development proposals in these areas.

### **Street Design and Transportation**

- The Preliminary Site Plan shows a 60-foot “proposed right-of-way” containing the existing access road to the site. DelDOT has been working with developers for some years to establish a local road, parallel to Route 1 and Plantations Road, in this general location. It is recommended that the County require the dedication of this parcel to public use.
- Collins Street, in Midway Estates, has a 30-foot right-of-way that extends from Plantation Road to the edge of the subject property, although the street has not been built that far. It is recommended that the developer, at a minimum, be required to connect to that right-of-way and improve it for use as a bicycle and pedestrian path so that residents can access Plantation Road without traveling on Route 24.
- The developer should be required to enter a signal agreement for the proposed entrance on Delaware Route 24.
- To provide residents with access to transit service, DelDOT asks that the developer provide a sidewalk out to Route 24, ending in an 8-foot by 8-foot concrete pad where they may wait for the bus.

### **Natural and Cultural Resources**

- The stormwater facilities should be redesigned to comply with the DNREC Health and Safety Memo of 2000. As currently shown on the site plan, they are long and narrow, and the pond configuration does not allow for the required 50-75% open water in the pond area in order to prevent mosquito breeding.
- The proposed units are very close to the stormwater facility which will make future maintenance very difficult. The Sussex Conservation District recommends a minimum 20 foot buffer around the perimeter of the pond for maintenance.
- Building a pool and changing area as noted on the site plan will require removal of forested lands. It is suggested that the pool and changing facilities be moved to a more suitable location in the parcel.

The following are a complete list of comments received by State agencies:

**Office of State Planning Coordination – Contact: Ann Marie Townshend 739-3090**

The Office of State Planning Coordination notes that this proposal is located in an Investment Level 2 area according to the Strategies for State Policies and Spending. State policies support development proposals in these areas.

Regarding the project's design, we support comments made by other agencies that the project include at least a bicycle connection to Collins Street in Midway Estates and that the project be modified to include open space for the residents' use.

**State Historic Preservation Office (SHPO) – Contact: Alice Guerrant 739-5685**

The previous development on the parcel has disturbed the area, so the probability for surviving archaeological resources is low. This project will not affect any historic properties.

**Department of Transportation – Contact: Bill Brockenbrough 760-2109**

- 1) The Preliminary Site Plan shows a 60-foot “proposed right-of-way” containing the existing access road to the site. DelDOT has been working with developers for some years to establish a local road, parallel to Route 1 and Plantations Road, in this general location. It is recommended that the County require the dedication of this parcel to public use.

At the PLUS meeting, the developer noted that a plan approved for the Summercrest development, immediately to the north of the subject land did not provide for the road's extension. The developer and the County should understand that DelDOT is aware of the Summercrest situation. They are working to correct it and acquire the needed right-of-way from the east edge of that development. DelDOT's Subdivision Engineer, Mr. Drew Boyce, may be contacted as necessary for updates on their progress in that regard. He may be reached at (302) 760-2165.

- 2) Collins Street, in Midway Estates, has a 30-foot right-of-way that extends from Plantation Road to the edge of the subject property, although the street has not been built that far. It is recommended that the developer, at a minimum, be required to connect to that right-of-way and improve it for use as a bicycle and pedestrian path so that residents can access Plantation Road without traveling on Route 24. It is further recommended that the developer look at the feasibility of improving this right-of-way for use as an emergency access to the subject development.

- 3) The developer should be required to enter a signal agreement for the proposed entrance on Delaware Route 24. It is possible that the previous owner of the site has already entered such an agreement, and that agreement may be transferable. To research this matter or obtain a draft agreement, the developer may contact Ms. Jean Logan of our Traffic Section. Ms. Logan may be reached at (302) 659-2027.
- 4) Delaware Transit Corporation operates seasonal transit service (Bus Route 207) past this site on Delaware Route 24 from May through September. More specifically, Bus Route 207 runs between Rehoboth Beach and Massey's Landing. To provide residents with access to this service, we ask that the developer provide a sidewalk out to Route 24, ending in an 8-foot by 8-foot concrete pad where they may wait for the bus. For assistance in determining the best location for the sidewalk and pad, the developer may contact Mr. David Dooley of the Delaware Transit Corporation. Mr. Dooley may be reached at (302) 577-3278 ext. 3583.
- 5) The developer's site engineer should contact the DelDOT Subdivision Manager for Sussex County, Mr. John Fiori, regarding their requirements for access. Mr. Fiori may be reached at (302) 760-2260.

**The Department of Natural Resources and Environmental Control – Contact: Kevin Coyle 739-3091**

**Soils**

According to the soil survey update Greenwich and Downer were mapped in the immediate vicinity of the proposed construction. Greenwich and Downer are both well-drained upland soils that have few limitations for development.

**ERES Waters**

This project is located adjacent to receiving waters of Inland Bays designated as waters having Exceptional Recreational or Ecological Significance (ERES). ERES waters are recognized as special assets of the State, and shall be protected and/ or restored, to the maximum extent practicable, to their natural condition. Provisions in Section 11.5 of Delaware's "Surface Water Quality Standards" (as amended August 11, 1999), specify that all designated ERES waters and receiving tributaries develop a "pollution control strategy" to reduce non-point sources of nutrient runoff through implementation of Best Management Practices (BMPs). Best Management Practices as defined in subsection 11.5(e) of this section, expressly authorizes the Department to provide standards for controlling the addition of pollutants and reducing them to the greatest degree practicable, or where attainable, a standard requiring no discharge of pollutants.

## **TMDLs**

With the adoption of Total Maximum Daily Loads (TMDLs) as a “nutrient-runoff-mitigation strategy” for reducing nutrients in the Inland Bays Watershed, reduction of nitrogen and phosphorus loading will be mandatory. A TMDL is the maximum level of pollution allowed for a given pollutant below which a “water quality limited water body” can assimilate and still meet water quality standards to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. Although TMDLs are authorized under federal code, states are charged with developing and implementing standards to support those desired use goals. The Jurisdictional authority for attaining these use goals will fall under the auspices of Section 11.5 of the State of Delaware’s Surface Water Quality Standards (as amended August 11, 1999), and will be achieved via nutrient reductions referred to as “pollution control strategies.”

Nutrient reductions prescribed under TMDLs are assigned on basis of water quality concerns – that is, the those regions deemed to be of greatest environmental concern will require correspondingly higher levels of nutrient reduction than those regions deemed less environmentally sensitive. In this watershed, these regions are demarcated as high and low reduction zones. The high reduction zone corresponds to the western portion of the watershed, and requires a reduction of nitrogen and phosphorus by 85 and 65 percent, respectively. The low reduction zone corresponds to the eastern portion of the watershed, and requires a reduction of nitrogen and phosphorus by 40 percent. **This project is proposed within the low nutrient reduction zone.**

**In order for the applicant to verify compliance with the TMDL mandate, a full nutrient accounting process known as nutrient budget should be prepared. The developer/consultant should contact Lyle Jones in the Department’s Watershed Assessment Section for further information regarding the acceptable protocol for calculating a nutrient budget. He can be reached as 739-4590.**

## **Water Resource Protection Areas**

A portion of the site falls within a wellhead protection area (see map). Wellhead protection areas are surface and subsurface areas surrounding a public water supply well where the quantity and quality of groundwater moving toward such wells may be adversely affected by land use activities.

According to the State law that created the Source Water Protection Program, county and municipal governments will be required to enact ordinances to protect Water Resource Protection Areas. The following language has been excerpted from the Source Water Protection Guidance Manual for Local Governments, Supplement 1 - Ground-Water Recharge Design Methodology. While the local ordinances are not yet in place, the developer may find the language useful in modifying the site plan to protect the wellhead protection area.

Water Resource Protection Areas (WRPAs) are defined as (1) surface water areas such as floodplains, limestone aquifers, and reservoir watersheds, (2) wellhead areas, or (3) excellent recharge areas. The purpose of an impervious cover threshold is to minimize loss of recharge and protect the quality and quantity of ground and surface water supplies in WRPAs.

New development in WRPAs may exceed the 20 % impervious cover threshold, but be no more than 50 % impervious, provided the applicant submits an environmental assessment report recommending a climatic water budget and facilities to augment recharge. The environmental assessment must document that post-development recharge will be no less than predevelopment recharge when computed on an annual basis.

Commonly, the applicant offsets the loss of recharge due to impervious cover by constructing recharge basins that convey relatively pure rooftop runoff for infiltration to ground water.

The Department recommends the following (ranked in order of preference):

- 1) Preserve WRPAs as open space and parks by acquisition or conservation easement.
- 2) Limit impervious cover of new development to 20 % by right within WRPAs.
- 3) Allow impervious cover of new development to exceed 20% within WRPAs (but no more than 50% impervious) provided the applicant develops recharge facilities that directly infiltrate rooftop runoff.
- 4) Allow impervious cover of new development to exceed 20% within WRPAs (but no more than 50% impervious) provided the applicant develops recharge facilities that infiltrate stormwater runoff from forested and/or grassed surfaces with pretreatment.

For more information refer to the draft Source Water Protection Guidance Manual for the Local Governments of Delaware

<http://www.wr.udel.edu/swaphome/phase2/Manual/SwappManual.pdf> and Ground-Water Recharge Design Methodology

[http://www.wr.udel.edu/swaphome/phase2/Manual/SwappManual\\_supplement\\_1.pdf](http://www.wr.udel.edu/swaphome/phase2/Manual/SwappManual_supplement_1.pdf).

In addition, activities that include the storage or disposal of hazardous substances may be prohibited or otherwise regulated by other state regulations. For more information on activities that are regulated please refer to

[http://www.wr.udel.edu/swaphome/phase2/Publications/Existing%20Authorities%202002\\_02.pdf](http://www.wr.udel.edu/swaphome/phase2/Publications/Existing%20Authorities%202002_02.pdf).

## **Water Supply**

Should dewatering points be needed during any phase of construction, a dewatering well construction permit must be obtained from the Water Supply Section prior to construction of the well points. In addition, a water allocation permit will be needed if the pumping rate will exceed 50,000 gallons per day at any time during operation.

All well permit applications must be prepared and signed by licensed water well contractors, and only licensed well drillers may construct the wells. Please factor in the necessary time for processing the well permit applications into the construction schedule. Dewatering well permit applications typically take approximately four weeks to process, which allows the necessary time for technical review and advertising.

Should you have any questions concerning these comments, please contact Rick Rios at 302-739-3665.

## **Sediment and Erosion Control/Stormwater Management**

1. The stormwater facilities shown on the site plan are long and narrow. The pond configuration does not allow for the required 50-75% open water in the pond area in order to prevent mosquito breeding. Please redesign the stormwater facilities to comply with the DNREC Health and Safety Memo of 2000.
2. The proposed units are very close to the stormwater facility which will make future maintenance very difficult. The Sussex Conservation District recommends a minimum 20 foot buffer around the perimeter of the pond for maintenance.
3. If the two existing stormwater facilities are going to be utilized for stormwater management, the District would require updated infiltration testing. The ponds must be designed to meet current regulations.

## **Forests**

According to 2002 aerial photos there is a small wooded area in the northeastern portion of the parcel. PLUS materials indicate that .34 acres will be removed to accommodate the pool and changing facilities. Although small, this area provides water quality, air quality and habitat benefits. The developer is strongly encouraged to preserve, and where possible, enhance forested resources on site, especially in an environmentally sensitive developing area. It is suggested that the pool and changing facilities be moved to a more suitable location in the parcel.

## **Nuisance Waterfowl**

The existing and proposed stormwater ponds will likely attract waterfowl like resident Canada geese and mute swans that will create a nuisance for community residents. High

concentrations of waterfowl in ponds create water-quality problems, leave droppings on lawn and paved areas and can become aggressive during the nesting season. Ponds that remain in the subdivision plan should be landscaped to deter nuisance species. Short manicured lawns around ponds provide an attractive habitat for these species. However, native plantings, including tall grasses, wildflowers, shrubs, and trees at the edge and within a buffer area (at least 50ft) around ponds, are not as attractive to geese because they do not feel as safe from predators and other disturbance when their view of the area is blocked. The Division of Fish and Wildlife does not provide goose control services, and if problems arise, residents or the home-owners association will have to accept the burden of dealing with these species (e.g., permit applications, costs, securing services of certified wildlife professionals). Solutions can be costly and labor intensive; however, with a reduction in the number of ponds, proper landscaping, monitoring, and other techniques, geese problems can be minimized.

## **Recreation**

It is recommended that sidewalks be built fronting every residence and stub streets. A complete system of sidewalks will: 1) fulfill the recreation need for walking and biking facilities, 2) provide opportunities for neighbors to interact in the community, and 3) facilitate safe, convenient off-road access to neighboring communities, parks, public mass transit stops, schools, stores, work, etc. DNREC appreciates the planned pedestrian access to Collins Avenue.

The Division of Parks and Recreation conducted a telephone survey of Delaware residents to gather information on outdoor recreation patterns and preferences as well as other information on their landscape perception. These findings are the foundation of the 2003-2008 Statewide Comprehensive Outdoor Recreation Plan (SCORP) providing guidance for investments in needed outdoor recreation facilities. The high facility needs in Eastern Sussex County are Walking and Jogging, Bike Paths and Fishing Areas. The moderate facility needs are Picnic Areas, Skate Facilities, Canoe/Kayak Access, Hiking Trails, Swimming Pools, Playgrounds, Soccer Fields, Tennis Courts, Power Boat Access and Baseball/Softball Fields. Consideration should be given to incorporate some of these recreation opportunities into the project. For additional information about the outdoor recreation priorities, contact Bob Ehemann at 739-5285.

## **Air Quality**

Air pollution threatens the health of human beings and other living things on our planet. While often invisible, pollutants in the air create smog and acid rain, cause cancer or other serious health effects, diminish the protective ozone layer in the upper atmosphere, and contribute to the potential for world climate change. Breathing polluted air can have numerous effects on human health, including respiratory problems, hospitalization for heart or lung disease, and even premature death. Some can also have effects on aquatic life, vegetation, and animals.



Once complete, vehicle emissions associated with this project are estimated to be 5.6 tons (11,204.7 pounds) per year of VOC (volatile organic compounds), 4.6 tons (9,276.8 pounds) per year of NO<sub>x</sub> (nitrogen oxides), 3.4 tons (6,844.6 pounds) per year of SO<sub>2</sub> (sulfur dioxide), 0.3 ton (609.3 pounds) per year of fine particulates and 468.6 tons (937,262.1 pounds) per year of CO<sub>2</sub> (carbon dioxide).

Emissions from area sources associated with this project are estimated to be 2.3 tons (4,519.4 pounds) per year of VOC (volatile organic compounds), 0.2 ton (497.3 pounds) per year of NO<sub>x</sub> (nitrogen oxides), 0.2 ton (412.7 pounds) per year of SO<sub>2</sub> (sulfur dioxide), 0.3 ton (532.5 pounds) per year of fine particulates and 9.2 tons (18,320.6 pounds) per year of CO<sub>2</sub> (carbon dioxide).

Emissions from electrical power generation associated with this project are estimated to be 0.9 tons (1,791.2 pounds) per year of NO<sub>x</sub> (nitrogen oxides), 3.1 tons (6,230.1 pounds) per year of SO<sub>2</sub> (sulfur dioxide) and 459.5 tons (918,941.5 pounds) per year of CO<sub>2</sub> (carbon dioxide).

	VOC	NO <sub>x</sub>	SO <sub>2</sub>	PM <sub>2.5</sub>	CO <sub>2</sub>
Mobile	5.6	4.6	3.4	0.3	468.6
Residential	2.3	0.2	0.2	0.3	9.2
Electrical Power		0.9	3.1		459.5
TOTAL	7.9	5.7	6.7	0.6	937.3

For this project the electrical usage via electric power plant generation alone totaled to produce an additional 0.9 tons of nitrogen oxides per year and 3.1 tons of sulfur dioxide per year.

A significant method to mitigate this impact would be to require the builder to construct Energy Star qualified homes. Every percentage of increased energy efficiency translates into a percent reduction in pollution. Quoting from their webpage

<http://www.energystar.gov/>:

“ENERGY STAR qualified homes are independently verified to be at least 30% more energy efficient than homes built to the 1993 national Model Energy Code or 15% more efficient than state energy code, whichever is more rigorous. These savings are based on heating, cooling, and hot water energy use and are typically achieved through a combination of:

- building envelope upgrades,
- high performance windows,
- controlled air infiltration,
- upgraded heating and air conditioning systems,
- tight duct systems and

upgraded water-heating equipment.”

The DNEREC Energy office is in the process of training builders in making their structures more energy efficient. The Energy Star Program is excellent way to save on energy costs and reduce air pollution. It is highly recommended that this project development and other residential proposals increase the energy efficiency of their homes.

**State Fire Marshal’s Office – Contact: Duane Fox 856-5298**

These comments are intended for informational use only and do not constitute any type of approval from the Delaware State Fire Marshal’s Office. At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

a. **Fire Protection Water Requirements:**

- Water distribution system capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers. (Townhouses)
- Where a water distribution system is proposed for the site, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

b. **Fire Protection Features:**

- For townhouse buildings, provide a section / detail and the UL design number of the 2-hour fire rated separation wall on the Site plan.

c. **Accessibility**

- All premises which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from John J. Williams Hwy must be constructed so fire department apparatus may negotiate it.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions

of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.

- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

d. **Gas Piping and System Information:**

- Provide type of fuel proposed, and show locations of bulk containers on plan.

e. **Required Notes:**

- Provide a note on the final plans submitted for review to read “ All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Townhouse 2-hr separation wall details shall be shown on site plans
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: [www.delawarestatefiremarshal.com](http://www.delawarestatefiremarshal.com), technical services link, plan review, applications or brochures.

**Department of Agriculture - Contact: Mark Davis 739-4811**

The Delaware Department of Agriculture and the Delaware Forest Service recognize the City of Rehoboth Beach as a Tree City USA Community. This national recognition rewards communities whom have invested time, energy and monies into enhancing their urban forest resources. The Forest Service encourages the developer to work closely with the town to achieve their long-term goals to grow their urban forest resources.

### *Right Tree for the Right Place*

The Delaware Department of Agriculture Forest Service encourages the developer to use the “Right Tree for the Right Place” for any design considerations. This concept allows for the proper placement of trees to increase property values in upwards of 25% of appraised value and will reduce heating and cooling costs on average by 20 to 35 dollars per month. In addition, a landscape design that encompasses this approach will avoid future maintenance cost to the property owner and ensure a lasting forest resource.

### *Native Landscapes*

The Department of Agriculture and the Delaware Forest Service encourages the developer to use native trees and shrubs to buffer the property from the adjacent land-use activities near this site. A properly designed forested buffer can create wildlife habitat corridors and improve air quality to the area by removing six to eight tons of carbon dioxide annually and clean our rivers and creeks of storm-water run-off pollutants. To learn more about acceptable native trees and how to avoid plants considered invasive to our local landscapes, please contact the Delaware Department of Agriculture Plant Industry Section at (302) 698-4500.

### **Public Service Commission - Contact: Andrea Maucher 739-4247**

The project information sheets state water will be provided to the project by Tidewater Utilities via the installation of water wells. PSC records indicate that the project is located within the public water service area granted to Tidewater Utilities under Certificate of Public Convenience and Necessity 83-W-15.

Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines. Contact: Malak Michael at (302) 739-4247.

If this project lies outside of the County’s wastewater service territory as of October 2004, the County must update the information it filed with the commission.

### **Delaware State Housing Authority – Contact Karen Horton 739-4263**

According to the State Strategies Map, the proposal is located in Investment Level 2 and in an environmentally sensitive area. The State Strategies Map supports investment in these areas. The proposal also should target first time homebuyers, which will help address the need for moderate priced housing affordable to low- and moderate-income families.

### **Delaware Emergency Management Agency – Contact: Don Knox 659-3362**

Due to the number of residential units being proposed, an impact to public safety is foreseen by implementation of this project. The developer should notify the police, fire

service, and emergency medical response organization serving this portion of Sussex County, to keep them apprised of all development activities.

Routes 1 and 24 are coastal storm evacuation routes and this development will be affected by traffic volume on these routes during a coastal storm event.

**Sussex County – Contact: Rick Kautz 855-7878**

The dumpster should be relocated so as to not be visible to travelers along Route 24. The swimming pool should be relocated so as to not impact adjacent property. A landscaped buffer should be provided between the parking lot and Route 24. A landscaped buffer should be provided between the rear of any townhouse and adjacent residential property.

This project is situated in an Environmentally Sensitive Development Area. The required report should include how the PLUS comments have been addressed and how the plan has been revised accordingly.

This summer Sussex County will be considering implementation of a Source Water Protection Program required by the State. Depending on the requirements adopted by the County Council this project might be affected.

**The Sussex County Engineer Comments:**

The project proposes to develop 73 residential town homes. The proposed project is within the West Rehoboth Expansion area for central sewer and connection to the sewer system is mandatory. The project is within an amendment of the area Planning Study and Capacity evaluation for sewer service. That amendment was undertaken by the developer to determine what system upgrades were needed to obtain adequate sewer capacity for the project. The developer, at his expense, will be required to construct regional infrastructure including a pump station and force main that connects at an approved location with adequate downstream collection capacity. In addition the proposed development will require a developer installed collection system in accordance with Sussex County's standard requirements and procedures. The connection point will be a manhole near the intersections of State Routes 24 and 1 and must be approved by the Sussex County Engineer.

The proposed site plan with this application is significantly different from a Site plan and Conceptual Sewer Layout that was previously approved for the proposed project. The Sussex County Engineering Department requires that a revised Sewer Conceptual Plan be submitted for review and approval prior to construction plan submittal.

Onetime System Connection Charges will apply. Please contact Mrs. Christine Fletcher at 302 854-5086 for additional information on charges. Payment of System Connection charges or an approved agreement for onsite and offsite sewer construction is required prior to issuance of a building permit. Sewer hookup permits will not be issued until

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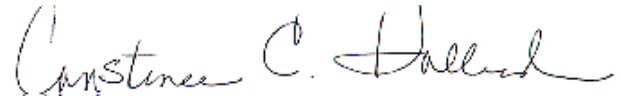
Beneficial Occupancy of the pump station; force main and collection system have been approved by the Sussex County Council.

For questions regarding these comments, contact Rob Davis, Sussex county Engineering Department at (302) 855-7820.

**Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.**

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in dark ink, appearing to read "Constance C. Holland". The signature is fluid and cursive, with the first name "Constance" being the most prominent part.

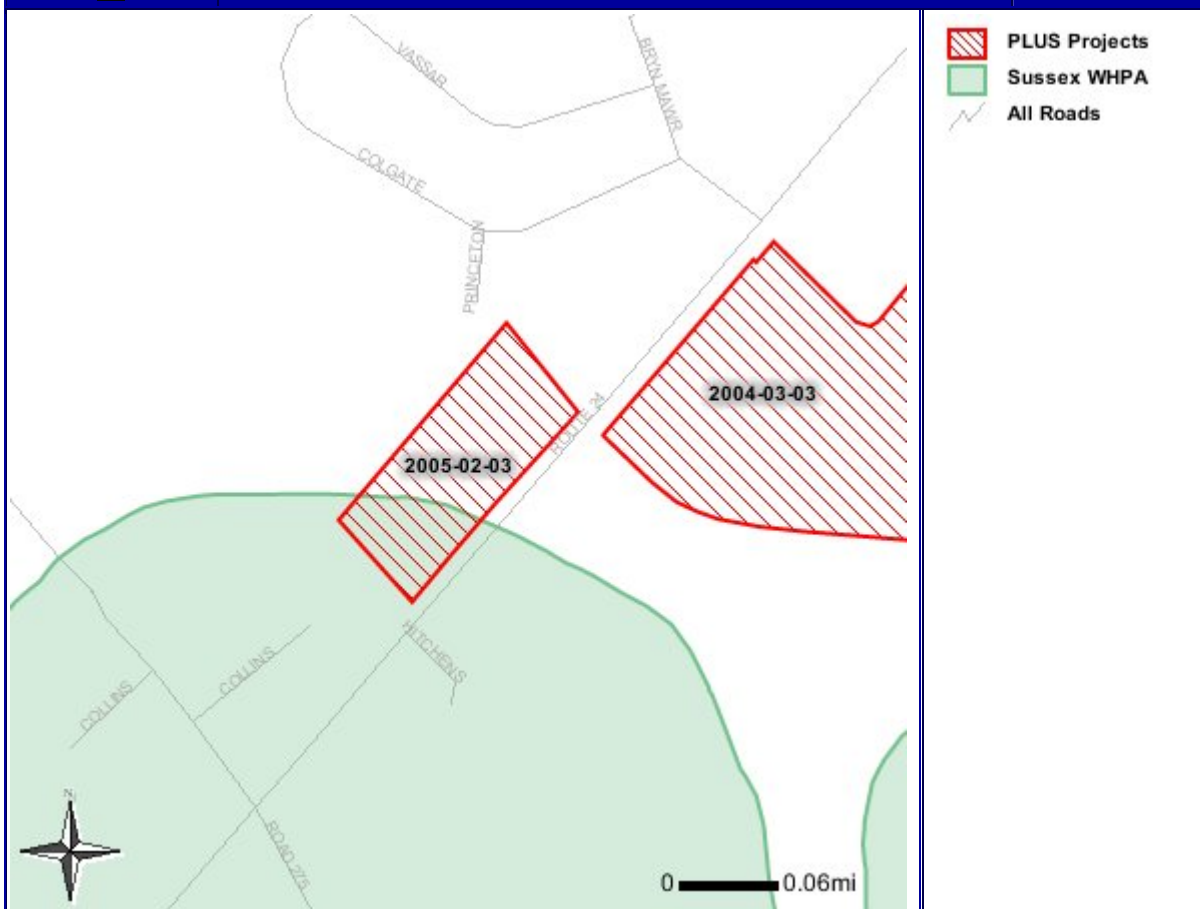
Constance C. Holland, AICP  
Director

CC: The Chesapeake Group, LLC  
Sussex County



# Hudson Homes, Route 24

2005-02-03



This map was produced by the Delaware  
Department of Natural Resources and Environmental Control.

